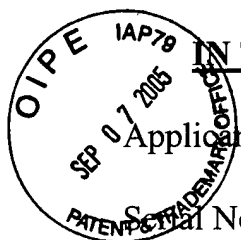


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James L. Sackrison et al.

Attorney Docket: DIA1001US

Serial No.: 10/706,567

Group Art Unit: 1641

Filed: November 12, 2003

Examiner: David J. Venci

For: VITAMIN D ASSAY

**NOTICE OF APPEAL FROM THE
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 7, 2005, finally rejecting claims 1 to 9 and 11 to 14.

The fee for this Notice of Appeal is \$500.00 and a check in this amount is enclosed to cover this fee.

Please charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 16-2312. If a fee is required for an

Certificate of Express Mailing (37 C.F.R. § 1.10)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Mailing Label No. **EV 680828979 US** in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: September 7, 2005

Signature: [Signature]

Name: Jodi Jung

09/09/2005 WABDELRI 00000069 10706567 500.00 DP 01 FC:1401

Notice of Appeal
Applicants: James L. Sackrison et al.
Serial Number: 10/706,567

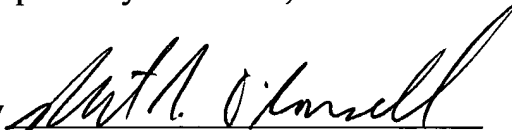
Attorney Docket: DIA1001US

extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: September 7, 2005

By



Customer No. 009561

Patrick J. O'Connell (33,984)

POPOVICH, WILES &

O'CONNELL, P.A.

650 Third Avenue South, Suite 600

Minneapolis, MN 55402

Telephone: (612) 334-8989

Attorney for Applicants